

RESOLUTION NO. 2249

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY OF WILSONVILLE WITH WASHINGTON COUNTY AND THE CITY OF TUALATIN FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY EXPANSION AREA (BASALT CREEK/WEST RAILROAD PLANNING AREA).

WHEREAS, in 2004 the Metro Council adopted Metro Ordinance No. 04-1040B, adding an area located generally between the Cities of Wilsonville and Tualatin to the Urban Growth Boundary (UGB) for residential and industrial uses; and

WHEREAS, the two Cities have, by Memorandum of Understanding, agreed to jointly prepare a concept plan for the area generally as the "Basalt Creek Planning Area"; and

WHEREAS, concept planning has not previously been completed for these properties; and

WHEREAS, in order for the two Cities to complete concept planning for this area the Cities will need to coordinate with Washington County to assure carefully planned development in the Basalt Creek/West Railroad Planning Area that will be of benefit to both Cities and the County.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council does hereby authorize the Mayor to sign the attached Memorandum of Understanding on behalf of the City Of Wilsonville with the City of Tualatin and Washington County to provide conceptual planning for the Basalt Creek and West Railroad Planning Areas, a copy of which is marked Exhibit A, attached hereto and incorporated by reference as if fully set forth herein.
2. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2nd day of August 2010, and filed with the Wilsonville City Recorder this date.


TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY of votes:

Mayor Knapp	Yes
Councilor Kirk	Yes
Councilor Núñez	Yes
Councilor Hurst	Yes
Councilor Goddard	Yes

Attachment:

Exhibit A – Memorandum Of Understanding Between Washington County And The Cities Of Tualatin And Wilsonville For Concept Planning The Urban Growth Boundary Expansion Area (Basalt Creek/West Railroad Planning Area)

Exhibit A

**MEMORANDUM OF UNDERSTANDING
BETWEEN WASHINGTON COUNTY AND THE CITIES OF TUALATIN AND
WILSONVILLE FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY
EXPANSION AREA (BASALT CREEK/WEST RAILROAD PLANNING AREA)**

This Memorandum of Understanding (MOU) is entered into by WASHINGTON COUNTY, a political subdivision in the State of Oregon, hereinafter referred to as the "COUNTY", and the CITY OF TUALATIN and CITY OF WILSONVILLE, incorporated municipalities of the State of Oregon, hereinafter referred to as the "CITIES".

Whereas, in 2004 the Metro Council added an area located generally between the CITIES to the Urban Growth Boundary (UGB) for residential and industrial uses, via Metro Ordinance No. 04-1040B; and

Whereas, the CITIES have agreed to refer to the area generally as the Basalt Creek Planning Area; and

Whereas, the CITIES and the COUNTY wish to work together to complete concept planning for this area to assure carefully planned development in the Basalt Creek Planning Area that will be of benefit to both CITIES, The COUNTY and their residents; and

Whereas, Metro conditioned that the UGB expansion undergo Title 11 concept planning as defined in Metro Code Chapter 3.07, cited as the Urban Growth Management Functional Plan (UGMFP), and that the concept planning be in accordance with Exhibit F of Metro Ordinance 04-1040B

Whereas, the property owners within the Basalt Creek/West Railroad Planning Area have been unable to pursue the urban development of their land, in spite of the fact that it has been within the UGB for approximately six years, because no concept plan has been prepared for the area; and

Whereas, Metro has allocated \$365,000 of Construction Excise Tax funding to pay for concept planning in the area, and

Whereas, Oregon Statewide Planning Goal 1 requires public involvement and Goal 2 requires intergovernmental coordination, this MOU is intended to indicate to private property owners in the area, Metro, the State or Oregon, and all other interested parties the cooperative nature of the planning effort being undertaken by the CITIES and COUNTY; and

Whereas, the CITIES expect to amend their existing Urban Planning Area Agreements (UPAAs) with the COUNTY to reflect the future city limit lines of each City, when the concept plan has been completed.

Now, therefore, the COUNTY and the CITIES set forth their understanding as follows:

A. Subject Land Area

1. The Basalt Creek/West Railroad concept planning area between Tualatin and Wilsonville is shown on Exhibit 1.

B. Concept Plan Activities

1. The Cities will lead the Basalt Creek/West Railroad concept planning activities in coordination with COUNTY.

C. Urban Planning Area Agreements (UPAA's)

1. Both the CITIES have UPAA's with COUNTY that will have to be amended once jurisdictional boundaries are determined in the Concept Plan work program. It is recognized that COUNTY adopts annual land use and transportation work programs, and this concept planning effort will require coordination to fit within the work program of COUNTY.

D. Coordination of Concept Planning

1. The CITIES shall provide the COUNTY with the appropriate opportunity to participate, review and comment on the proposed concept plan. The following procedures shall be followed by the CITIES and the COUNTY to notify and involve one another in the process to prepare the concept plan:
 - a. The CITIES shall transmit notice of all meetings related to the concept plan at least one week prior to the scheduled meeting. This includes any technical advisory committee meetings, open houses, Planning Commission or Planning Advisory Committee meetings, City Council meetings, etc.
 - b. The CITIES or the County, whichever has jurisdiction over the proposal, hereinafter the originating agency, shall notify the other agency, hereinafter the responding agency, of the proposed action at the time such planning efforts are initiated, but in no case less than forty-five (45) days prior to the initial evidentiary hearing for comprehensive plan or implementing regulations.
 - c. The CITIES shall transmit draft documents to the COUNTY for its review and comment before finalizing. The COUNTY shall have ten (10) days after receipt to submit comments orally or in writing. Lack of response shall be considered "no objection" to the drafts.
 - d. The CITIES shall respond to the comments made by the COUNTY either by a) revising the draft concept plan, or b) by letter to the COUNTY explaining why the comments are not addressed in the concept plan.
 - e. Comments from the COUNTY shall be given consideration as part of the public record on the concept plan.

2. Development Actions Requiring Notice

The COUNTY shall provide the CITIES with notice of development actions requiring notice within the Concept Plan area.

The following procedures shall be followed by the COUNTY to notify the CITIES of proposed development actions:

- a. The COUNTY shall send by first class mail or as an attachment to electronic mail a copy of the public hearing notice which identifies the proposed development action to the other agency, at the earliest opportunity, but no less than ten (10) days prior to the date of the scheduled public hearing. The failure of the CITIES to receive a notice shall not invalidate an action if a good faith attempt was made by the originating agency to notify the responding agency.
- b. The CITIES receiving the notice may respond at their discretion.

This MOU shall become effective upon full execution by the COUNTY and the CITIES. The effective date of this MOU shall be the last date of signature on the signature page.

CITY OF TUALATIN, Oregon

By _____

Mayor

Date: _____

ATTEST:

By _____

WASHINGTON COUNTY

By _____

Chair, Board of County Commissioners

CITY OF WILSONVILLE, Oregon

By _____

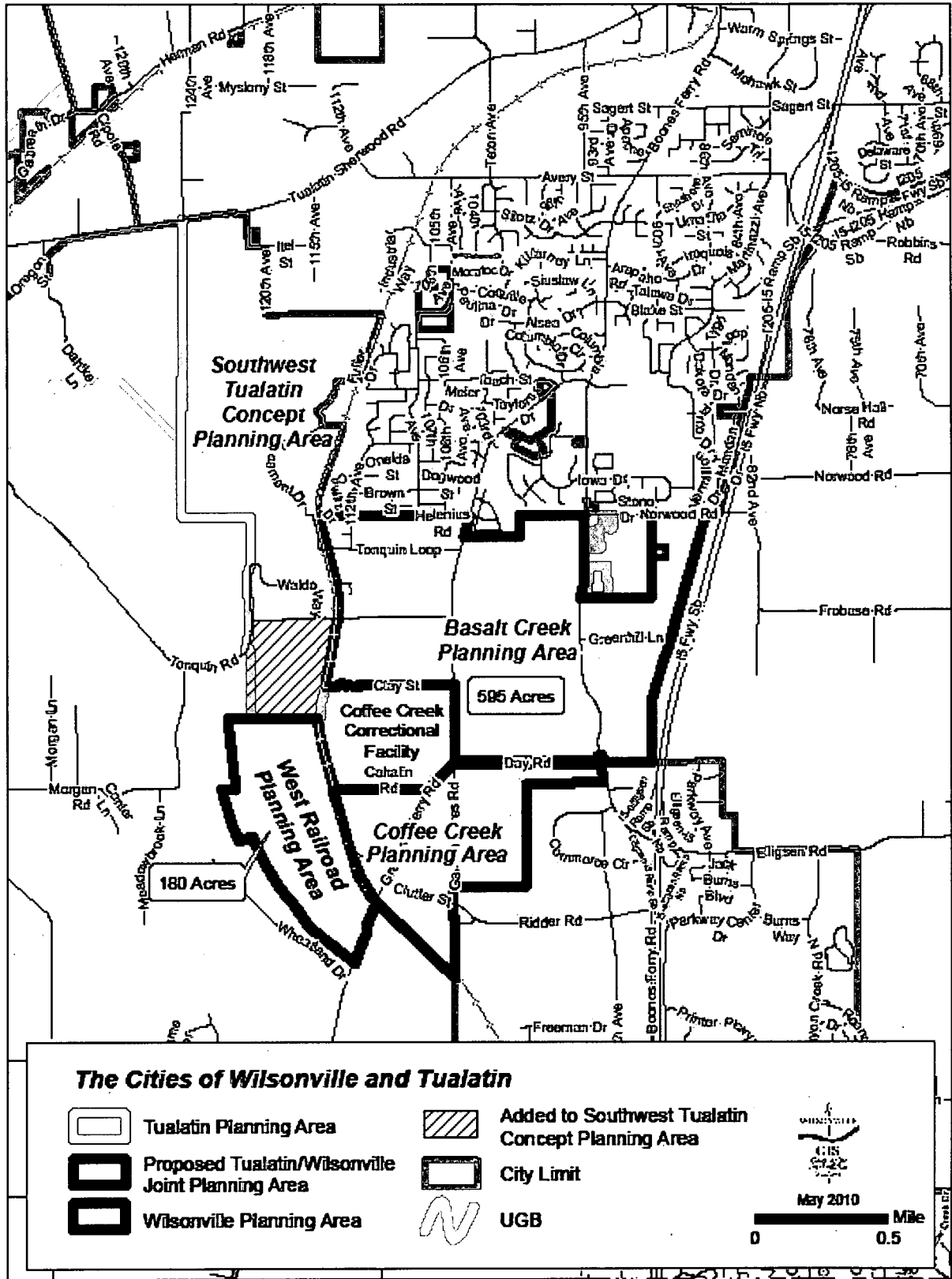
Tim Knapp, Mayor

Date: _____

ATTEST:

By _____

DATE: _____



City of Wilsonville

COMMUNITY DEVELOPMENT DEPARTMENT

To: Mayor Knapp and City Council

From: Stephan A. Lashbrook, Assistant Community Development Director

Date: July 26, 2010

Subject: Resolution 2249 -- Proposed Memorandum of Understanding with Washington County and the City of Tualatin – Concept Planning the Basalt Creek and West Railroad Planning Areas

On June 21, 2010, the City Council approved Resolution 2246, authorizing the City Manager to sign a Memorandum of Understanding (MOU) with the City of Tualatin for concept planning of the Basalt Creek and West Railroad planning areas. On July 12, the Tualatin City Council took a similar action.

The next step in this process of inter-governmental coordination involves a three-party MOU involving both cities and Washington County. Given that the two cities will take the lead on the actual planning effort, the agreement with Washington County is primarily to spell out our shared commitment to keep one-another informed as the planning process moves forward. This commitment to share information is important, not only for the contents of the new concept plan, but also because any of the three jurisdictions may receive development applications for land in or near the planning areas before the new plan can be completed and implemented. The proposed MOU will commit all three parties to keep each other informed of such development applications, as well as to share information generally as the concept plan is being prepared.

Recommendation:

The staff recommends that the City Council approve Resolution 2249 authorizing the Mayor to sign the attached Memorandum of Understanding with Washington County and the City of Tualatin for concept planning of the Basalt Creek and West Railroad planning areas.

Attachments:

Exhibit A -- Proposed MOU and Map of Proposed Planning Areas

RES. 2249 -

3 originals signed by the
Mayor given to Ben Bryant
for Inval... + Wa. Co.
to sign.

ACK

8/3/10

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CITY OF TUALATIN, Oregon

By _____

Mayor

Date: _____

ATTEST:

By _____

WASHINGTON COUNTY

By _____
Chair, Board of County Commissioners

CITY OF WILSONVILLE, Oregon

By Tim Knapp

Tim Knapp, Mayor

Date: 8/3/10

ATTEST:

By Amanda King

DATE: 8/3/10

